

## **IC 14-15-9**

### **Chapter 9. Divers**

#### **IC 14-15-9-1**

##### **"Diver" defined**

Sec. 1. As used in this chapter, "diver" means an individual who is:

- (1) wholly or partially submerged in any water of Indiana; and
- (2) equipped with:
  - (A) a face mask and snorkel; or
  - (B) an underwater breathing apparatus.

*As added by P.L.1-1995, SEC.8.*

#### **IC 14-15-9-2**

##### **"Divers down flag" defined**

Sec. 2. As used in this chapter, "divers down flag" means a flag that:

- (1) is at least twelve (12) inches wide by twelve (12) inches high;
- (2) is square or rectangular, approximately four (4) units high by five (5) units long; and
- (3) has a white diagonal stripe on a red background that begins at the top staff side of the flag and extends diagonally to the opposite lower corner.

*As added by P.L.1-1995, SEC.8.*

#### **IC 14-15-9-3**

##### **"Underwater breathing apparatus" defined**

Sec. 3. As used in this chapter, "underwater breathing apparatus" means an apparatus, whether:

- (1) self contained; or
- (2) connected to a distant source of air or other gas;

that enables an individual wholly or partially submerged in water to obtain or reuse air or any other gas for breathing without returning to the surface of the water.

*As added by P.L.1-1995, SEC.8.*

#### **IC 14-15-9-4**

##### **Display of divers down flag**

Sec. 4. (a) A diver shall prominently display a divers down flag in the area in which the diving occurs, except when diving in an area customarily used for swimming only.

(b) The divers down flag:

- (1) must be free flying; and
- (2) shall be lowered when all divers are aboard or ashore.

*As added by P.L.1-1995, SEC.8.*

#### **IC 14-15-9-5**

##### **Operation of watercraft within 150 feet of divers down flag; objects in water within 100 feet of divers down flag; supporting watercraft**

Sec. 5. (a) A person may not operate a watercraft within one hundred fifty (150) feet of a divers down flag unless the watercraft is

directly involved in supporting the diver who is displaying the flag.

(b) A person may not put an object in the water within one hundred (100) feet of a divers down flag unless the object is used in supporting a diver who is displaying the flag.

(c) A watercraft that is involved in supporting the diver who is displaying the divers down flag shall remain within one hundred (100) feet of the flag.

*As added by P.L.1-1995, SEC.8.*

#### **IC 14-15-9-6**

##### **Diving within 150 feet of anchored watercraft**

Sec. 6. A diver may not dive or display a divers down flag within one hundred fifty (150) feet of an anchored watercraft unless the watercraft is directly involved in supporting the diver.

*As added by P.L.1-1995, SEC.8.*

#### **IC 14-15-9-7**

##### **Surfacing within 100 feet of divers down flag**

Sec. 7. (a) Except during an emergency, a diver shall surface within one hundred (100) feet of the divers down flag displayed for the diver.

(b) If:

(1) a diver surfaces at a distance greater than one hundred (100) feet from the divers down flag displayed for the diver; and

(2) the diver is injured by a watercraft while surfacing;

the operator of the watercraft is not liable for the injury to the diver unless the operator was negligent in the operation of the watercraft.

*As added by P.L.1-1995, SEC.8.*

#### **IC 14-15-9-8**

##### **Violations**

Sec. 8. A person who violates section 4, 5, 6, or 7(a) of this chapter commits a Class C misdemeanor.

*As added by P.L.1-1995, SEC.8.*